

## **REMARKS**

This paper is submitted in reply to the Office Action dated November 29, 2006, within the three-month period for response. Reconsideration and allowance of all pending claims are respectfully requested.

In the subject Office Action, claims 1-37 and 39 were rejected under 35 U.S.C. §101. Additionally, claims 1-37 were rejected under 35 U.S.C. § 112 second paragraph. Moreover, claims 1-4, 9, 11-12, 21-26, 30, 36-37 and 44 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,819,265 to Ravin et al.; claims 5-8, 10, 13-14, 16, 18-20, 27-29 and 31-35 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Ravin et al. further in view of U.S. Patent No. 6,678,694 to Zimmerman et al.; claim 15 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ravin et al and further in view of U.S. Patent No. 5,799,276 to Komissarchick et al.; claim 17 was rejected as being unpatentable over Ravin et al. and further in view of U.S. Patent No. 6,519,586 to Anick et al. The Examiner did indicate, however, that claims 39 and 42-43 were directed to patentable subject matter.

Applicants respectfully traverse the Examiner's rejections to the extent that they are maintained. Nonetheless, Applicants have canceled claims 1-37 and 44, amended claim 39 to address the Examiner's §101 concern, and added new claims 45-48 (which recite similar subject matter to claim 42), such that all pending claims now recite subject matter found to be allowable by the Examiner. Specifically with respect to claims 45-48, claims 45 and 47 recite an apparatus and program product, each having a program that is configured to perform the steps recited in allowed claim 42, while claims 46 and 48 recite the same subject matter as recited in dependent claim 43. Given that the subject matter recited in these claims has already been found to be allowable over the art of record by the Examiner, reconsideration and allowance of all pending claims are respectfully requested.

In addition, with respect to the outstanding §101 rejection of claim 39, the Examiner will note that Applicants have amended the claim to recite a "computer-readable storage medium" as suggested by the Examiner. Applicants therefore submit

that claim 39 is now consistent with the Office's current interpretation of statutory subject matter. Withdrawal of the § 101 rejection is therefore respectfully requested.

As a final matter, Applicants respectfully submit that no new matter is being added by the above amendments, as the amendments are fully supported in the specification, drawings and claims as originally filed. Furthermore, Applicants reserve the right to refile the canceled subject matter in a continuing application.

In summary, Applicants respectfully submit that all pending claims are novel and non-obvious over the prior art of record. Reconsideration and allowance of all pending claims are therefore respectfully requested. If the Examiner has any questions regarding the foregoing, or which might otherwise further this case onto allowance, the Examiner may contact the undersigned at (513) 241-2324. Moreover, if any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

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Date

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